



Minutes: 15. INPI-PatCom Meeting, Paris, 18th June, 2019

1. SD welcomed PatCom to INPI for the 15th meeting with the news of the new general manager, Pascal Faure.

2. The Agenda was agreed.

We went through the Agenda points, with an accompanying presentation. (See *Patcom20190618_SLB_SDA.ppt*)

3. INPI Data Dissemination (SD) (see slide 3- 7)

Some key facts and figures from the annual report (attached) were presented to give an overview of INPI activity. There were 16.2 thousand French patent applications in 2018, the volume remains fairly constant. A total of about 500,000 patents are in force. The French automotive sector is large, which shows largest applicants, and Valeo and PSA remain top applicants. INPI also has a case law database (INPI provides IP information free on its website). 9.3m patents (FR, PCT and EP) are available free on INPI.

4. Update on COP (slide 18)

The data project is ongoing it runs from 2017 to 2020. A new data portal will combine company and IP data. There will be a simple 'google' type search function. API access will be available. PatCom confirmed interest in this method of access.

5. Open data - licenses of INPI data (SLB) (see slide 9).

There has been significant interest in open data licences since inception in 2014. Licences now stand at : 316 (2018) and are now already 325 at May 2019, with the largest increase in number of trademark information licences. 213 companies hold the licences. RNCS (company) data has issued 1,000 licences. Data is cross-referenced between IP and RNCS. The (company) SIREN number is used in the patent data where possible.

5. INPI Raw Data (slides 16 and 17)

There have been problems with updating data due to the implementation of a new IT structure. The problems have now been resolved. Updates containing 7 months of data from November 2018 to June 2019 will be made available very shortly.

The Legal status information will also be updated by the end of June.

This has affected national phase entry information on EP patents entering the FR national phase. The information is up to date on INPI now, and will be provided to all subscribers by the end of June.

PatCom asked about legal case law, and SLB confirmed that updates are not published. Public Decisions are available in the Tribunal. This is because of privacy laws. Information on inventors is still published.

New Data:

Additional FR biblio and FR Full Text data is planned and will be made available to all when ready. INPI are not using the EPO system which did not provide sufficient quality data. By mid-2020 INPI will be producing their own data. Applicants are filing using docx structured template (as in WIPO CASE). This enables full XML data to be created directly. Problems remain for chemical structures, drawings, and applicant names however. All St.36 compliant. INPI are looking towards St.96 for designs. RU has changed to St.96. All available by ftp.

EP and WO abstracts are translated into French from 2010 onwards. EP Translated PDFs are available from 2004-2009.

6. AOB: The PACTE Law (slides 11-15). Is a new law published in May 2019 (Loi portant Plan d'Action pour la Croissance et la Transformation des Entreprises) (<https://www.gouvernement.fr/en/pacte-the-action-plan-for-business-growth-and-transformation>). It aims to remove obstacles from growth of companies of every size in France. The Pacte law introduces 4 main provisions for IPRs.

- Article 40 which introduces Utility Certificates There will be the option to transition from utility certificate to patent.
- Articles 42 Opposition procedure within 9 months from grant.
- Article 42a Strengthens the examination procedure. Concept of inventive step introduced.
- Provisional patent application- offering a one year grace period by filing a simple description. Debate is ongoing about how to process the information.

The Pacte Law provisions , if adopted, should be in force by December 2020

7. AOB:

7.1 Licences to INPI data.

The licence changed in May 2019. Licences are compliant with Etalab for IP and RNCS data.

<https://www.data.gouv.fr/en/organizations/etalab/> This licence contains clauses for personal data and responsibilities for administration of the data.

PatCom should contact SLB for the new licence. Licences will be sent by email and contain rights and obligations, which should be accepted, signed and then an access ID will be provided.

7.2 Classifications (CPC)

How are INPI working with CPC since the EPO introduced the new CPC-I field?

INPI are not using CPC. Examiners are not classifying using the CPC. FR documents are in PCT minimum documentation. EPO do the classification for FR documents.

INPI will be adopting the new Locarno classifications for Designs and Vienna classifications for TM images. At the moment classification is outsourced, but examiners will begin to classify internally later in the year.

8. Proposed to hold the 2020 meeting again in June.

Agenda

1. Introduction and welcome
2. Agenda agreement
3. INPI Data Dissemination
4. Update on new Data Portal (COP)
5. Licensing of INPI Material
 - a. legal status updates from INPI of French documents
 - b. Full text of French documents published by INPI.
6. Availability of translations of EP and Wo abstracts in French.
7. AOB: Licence ToB , Legal information availability
8. Date of next meeting in 2020.

Attendees

PatCom:

Olivier Huc, Minesoft Limited
Renaud Garat, Questel
Robert Fokkema, LHIP
Armin Foerderer, FIZ Karlsruhe
Jurjen Dijkstra, LexisNexis Univentio
Martine Michel, CAS
Jane List, Extract Information, PatCom Secretary.

INPI:

Severine le Brun DPI / Departement des donnees
Bruno Corriger DPI / Data Department
Sabine Darrigade DPI / Open data

Apologies:

Jane List, Secretary, PatCom, Cambridgeshire 12 July 2019.